

REMARKS

Status of the Claims

Claims 1-19 are pending in the application. No claims have been canceled or added. Claim 1 has been amended to define the essential components in the resin composition of the resin layer B. No new matter has been added by the above claim amendments. Applicants also submit that no new issues are raised by the above claim amendments that would require additional consideration or a new search. As such, Applicants respectfully request entry of the above claim amendments.

Rejection under 35 U.S.C. § 103(a)

The Examiner rejects claims 1-19 as obvious over U.S. patent 5,725,712 to Spain et al. in view of U.S. patent 5,829,804 to Saeki et al. Applicants traverse the rejection and respectfully request the withdrawal thereof.

Applicants submit that the Examiner has failed to establish a prima facie case of obviousness pursuant to MPEP 2143 and MPEP 2143.01 as the Examiner has failed to establish that one of ordinary skill in the art would be able to arrive at the present invention from combining the teachings in Spain '712 with Saeki '804.

The present invention is directed to a laminated film comprising a resin layer (A) that contains acrylic resin and a resin layer (B) that is made of a resin composition that consists

essentially of (a) 10 to 98% by weight of a propylene polymer, (b) 1 to 60% by weight of an inorganic filler, and (c) 1 to 60% by weight of a thermoplastic elastomer, where components (a), (b) and (c) equal 100% by weight. No other components are present in the resin composition of resin layer (B) that would affect the basic and novel characteristics of the invention.

The Examiner states that one of ordinary skill in the art would be motivated to modify the laminate structure (laminate + thermoplastic polypropylene substrate) of Spain '712 having a carrier polyester film, coated with an acrylic clear coat that is coated with a colored paint and further having a chlorinated polypropylene size coat applied over the colored paint to arrive at the present invention. The Examiner admits that the structure in the prior art fails to contain filler and thermoplastic elastomer.

The Examiner asserts that one of ordinary skill in the art would modify the laminate structure of Spain '712 so that the structure would contain not only filler but also a thermoplastic elastomer, such as the thermoplastic elastomers disclosed in Saiki '804.

Spain '712 discloses in Figure 4 a laminate having a carrier, a clear coat, a color coat and a size coat. Spain '712 fails to disclose a film having a layer containing inorganic filler. Spain '712 also fails to disclose a film having a layer containing a thermoplastic elastomer.

Saeki '804 discloses a bumper made of a composition comprising (A) a propylene-ethylene block copolymer, (B) a propylene homopolymer, (C) an ethylene-propylene copolymer rubber (EPM) and/or an ethylene-propylene-diene copolymer rubber (EPDM), and (D) talc. Saeki '804 also discloses a bumper made of a composition further comprising (E) a specific polyhydroxy polyolefin, which is added to the composition in order to impart paintability to the bumper. Please see column 3, lines 6-15 of Saeki '804.

Applicants submit that if one of ordinary skill in the art were to combine the disclosure of Saeki '804 with the disclosure of Spain '712, one would be motivated to use the composition comprising not only components (A) through (D) but also more importantly component (E) as an essential ingredient; especially since component (E) is used for improving the coating adhesion for excellent paintability. Since the laminate in Spain '712 has a size coat on the paint coat, Applicants submit that one would be motivated to use component (E) to improve adhesion in Spain '712.

However, in the present invention, the resin layer (B) is made of a resin composition, which consists essentially of (a) a propylene polymer, (b) an inorganic filler, and (c) a thermoplastic elastomer. No polyhydroxy polyolefin (component E of Saeki '804) is present as an essential ingredient in the present invention. Moreover, the presence of polyhydroxy

polyolefin (component E of Saeki '804) will likely affect the basic and novel characteristics of the present invention.

The present invention has a good adhesive property with the presence of polyolefin resin as recited in the present invention. As a result the structure is also able to maintain a good appearance for a long period of time. See page 20, first paragraph in the specification. The present invention also has good superior transparency and a superior surface gloss. See page 20, second paragraph. Moreover, in order to substitute a conventional structure needing any painting with a structure made in accordance with the present invention, the substitute structure would have to have not only good appearance, having good adhesive properties, but also good scratch resistance. See page 20, third paragraph in the specification.

Therefore, Applicants submit that no one of ordinary skill in the art would not be motivated to make the modification suggested by the Examiner. Thus, no prima facie case of obviousness has been established as the combination of references does not lead one to the present invention.

Conclusion

As Applicants have addressed and overcome all rejections in the Office Action by establishing that no prima facie case of obviousness exists, Applicants respectfully request that the rejection be withdrawn and that the claims be allowed.

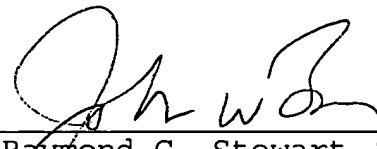
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Kecia Reynolds (Reg. No. 47,021) at the telephone number of the undersigned below.


Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a three (3) month extension of time for filing a reply in connection with the present application, and the required fee of \$950.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  #32,881
Raymond C. Stewart, #21,066


RCS/KJR/jao
2185-0532P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000